

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of

Accelerating Wireline Broadband Deployment by
Removing Barriers to Infrastructure Investment

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) WC Docket No. 17-84
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COMMENTS OF THE GREENLINING INSTITUTE

The Greenlining Institute is a policy, research, organizing, and leadership institute working for racial and economic justice. We envision a nation where communities of color thrive, and race is never a barrier to economic opportunity. Part of that vision includes expanding access to technology and the infrastructure that supports it. However, the needs of ILECs and other providers of that infrastructure must be balanced with the needs of consumers and the localities they live in. The *Notice of Proposed Rulemaking* (FNPRM) in the above referenced proceeding affects legacy technology users and particularly rural consumers who have little competition to choose from and face higher prices, slower upgrade times and expensive service. Furthermore, nearly one-fifth of rural America are people of color. These communities face even higher poverty, dropout rates and worse job opportunities than their neighbors. The FNPRM tips the balance too far in favor of broadband providers who have immense resources and market power in the provision of services, and there is little data to show that the proposed rules will increase competition or appreciably lower the cost of the technology transition.

The FNPRM seeks to eliminate or reduce the notice periods for a variety of different offerings. Greenlining urges the Commission to exercise caution and put consumers first especially with regards to proposals to reduce or streamline notice requirements around: higher speed data discontinuances, network changes that affect interoperability of customer premises equipment, further streamlining discontinuing legacy voice services when there is a single interconnected VoIP service, or when carriers “seek to” transition from legacy voice services to next-generation replacement services, and eliminating outreach requirements when discontinuing legacy retail services.

Putting consumers first means maintaining the existing notice requirements especially when the replacement service may be more expensive, provide less functionality or worse service quality than the legacy service they currently use. Greenlining would be more supportive of efforts to increase competition and lower costs through streamlined notice requirements if the Commission requires that carriers provide more data on the costs of adhering to the current rules which balance consumer notice with carrier needs. The Commission should also seek projections on the expected cost-savings of the proposed rules. This data would provide a better picture of the necessity of streamlining notice periods at the expense of consumers.

The FNPRM threatens to even further erode the delicate balance between minimizing the burden of transitioning from legacy to next-generation technologies while simultaneously protecting consumers. Greenlining disagrees with the notion that we cannot have robust consumer protections while also encouraging a competitive broadband market. The FNPRM puts the chicken before the egg, we need adequate competition before we strip away consumer protections – otherwise a dominant ILEC or carrier will simply abuse the lack of rules and regulations with impunity. If the Commission wants to help the millions of Americans that are affected by the proposed rules it should focus its energies less on deregulating large incumbents and more on opening their networks and conduits to competitors.

Respectfully submitted,

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